



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
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**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2402016

Applicant Name: Weber Thompson Architects for Trammell Crow
Residential

Address of Proposal: 1220 Republican Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of a seven-story, mixed-use project with 199 residential units, 5,311 sq. ft. of ground floor retail use and below-grade parking for 208 vehicles.*

The development site is comprised of the half block bounded by Mercer Street on the north, Pontius Avenue N on the east, Republican Street on the south, and an alley on the west.

The following approvals are required:

Design Review – Chapter 23.41 Seattle Municipal Code (SMC)

Development Standard Departures for Setbacks and Landscaping

SEPA – Environmental Determination – Chapter 25.05, Seattle Municipal Code (SMC)

*The Notice of Application was for 200 residential units, 6,000 sq. ft. of ground floor retail use, and below-grade parking for 275 vehicles. A second Notice of Application was issued that modified these figures to 199 residential units, 5,688 sq. ft of ground floor retail, and 213 vehicles. As part of subsequent design development, the project has been revised slightly and the final Master Use Permit description is the one cited above.

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or
other agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The site is located in the Cascade District of the larger South Lake Union neighborhood. It is comprised of the half block bounded by Mercer Street on the north, Pontius Avenue N on the east, Republican Street on the south, and on the west by an existing 16-foot wide public alley running between Mercer and Republican Streets. The site is approximately 43,255 square feet in size, with a width of approximately 120 feet and a length of approximately 360 feet. The site and much of the surrounding area is zoned Seattle Cascade Mixed/Residential, with a 55-75 foot height limit (SCM/R 55'75').

Existing development on the site includes a surface parking lot with about 120 spaces, and one single- story, and two-story commercial structures, both of which would be demolished as a result of the proposal.

The project site slopes downward in a northeasterly direction, with approximately an 11-foot change in elevation from Pontius Avenue N. to the alley.

Development in the vicinity consists of a mix of office and warehouse uses, and parking, with some newer residential, mixed use or office projects recently completed or planned for construction. One of the newer residential structures is the Alcione, two blocks to the south. A five- to six-story commercial office building has been approved, also two blocks to the south, for the two half blocks bounded by Yale Avenue N on the east, Pontius Avenue N on the west, Thomas Street on the north, and John Street on the south. Two blocks to the east of the proposal site is Eastlake Avenue E that abuts Interstate 5.

Proposal Description

The applicant proposes to construct a seven-story mixed-use building, consisting of 199 apartment units. The units along Mercer Street are designed as live/work units, considered a non-residential use in the Seattle Land Use Code. The project also includes approximately 5,311 sq. ft. of ground-floor retail space concentrated along Republican Street and Pontius Avenue N. Approximately 9,500 sq. ft of open space is provided at ground-level, adjacent to the alley, and additional open space is provided on a rooftop deck.

Vehicle access to underground parking would be provided by two driveways, accessed via the alley that connects Mercer and Republican Streets. The two driveways will serve separate sections of the parking garage that will not be connected internally. The north garage would provide 143 parking spaces for residential parking, while the south garage would provide 70 parking spaces for both retail and residential uses. Existing curb cuts on Pontius Avenue N will be removed. The alley would be widened by approximately two feet as a result of the project, and the building would set back three feet from Republican Street, in order to allow for potential future widening of the right-of-way.

Public Comments

The proposal as originally submitted was for 200 residential units, 6,000 sq. ft. of ground floor retail use, and below-grade parking for 275 vehicles. Public comment was invited on this initial application, but no comments were received. The project was subsequently revised to decrease the number of residential units, commercial space, and number of parking spaces, and public comment was invited on the revised proposal. No comments were received during this second public comment period. Public comments were also invited at the two design review public meetings. Comments from those meetings are noted within the Design Review process summaries which follow.

ANALYSIS – DESIGN REVIEW

Early Design Guidance

At an Early Design Guidance Meeting, attended by five of the Design Review Board members for Area 7 (Capitol Hill) and held on June 18, 2003, the architects, Blaine Weber, Scott Thompson and Jin Lee, all of Weber + Thompson, presented preliminary conceptual plans for three separate development scenarios. One of the massing proposals called for one structure that included both residential and commercial uses in one large structure. The other proposals for the site assumed development of two separate tower structures above a shared ground floor commercial base. Each of these two other proposals assumed separate tower structures for the residential and commercial uses, with variations of massing and orientation for each tower structure.

Public Comments

One member of the public attended the Early Design Guidance Meeting. This individual represented the Vulcan Company, a landowner in the area, and briefed the Board on projects and commitments to the area by the company, as well as stating general support for development of the site.

The Board provided general comments on the project prior to setting specific design review priorities. The Board's general comments are summarized as follows:

- Concern about how to address the overall scale of the project
- How to address the topography and grade change in relationship to the streetscape that the project will create
- The project will be precedent-setting for this neighborhood
- The building should allow for a flexibility of uses which may evolve over time
- All of the proposals appear to be workable in their own way
- Proposals to give a large first floor for flexibility between retail or commercial uses is a good idea
- The configuration of the open space should be designed with the residential tenants in mind

The design review priorities identified by the Board as being of greatest importance and the Board's specific comments are as follows:

PRIORITIES:

Having visited the site, and having considered the analysis of the site and context provided by the architect, and after hearing public comment, the Design Review Board members provided the following siting and design guidelines found in the City of Seattle "Guidelines for Multifamily & Commercial Buildings" to be of highest priority for this project.

A. SITE PLANNING

A-1 Responding to Site Characteristics

The siting of the buildings should respond to specific site conditions and opportunities such as nonrectangular lots, location of prominent intersections, unusual topography, significant vegetation and views or other natural features.

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the street.

A-4 Human Activity

New development should be sited and designed to encourage human activity on the street.

A-7 Residential Open Space

Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

A-10 Corner Lots

Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

The Board expressed interest in the design of a building that will be related to the topography in a meaningful way, especially due to the prominent grade changes to the west.

With respect to A-3 and A-4, the Board felt that it was important to provide good human scale for both the ground floor uses and the overall building. The Board also expressed the importance of activating the ground floor portions of the building.

The Board expressed interest in creating open space based around a ground floor courtyard concept starting at street level with the building massed around this space.

B. HEIGHT, BULK AND SCALE

B-1 Height, Bulk and Scale Compatibility

Projects should be compatible with the scale of development anticipated by the applicable Land use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated potential of the adjacent zones.

The Board used this guideline to express their concern about the size and scale of the project, emphasizing the need to address the bulk of the building and how to provide design solutions to address this issue.

C. ARCHITECTURAL ELEMENTS AND MATERIALS

C-3 Human-scale

The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

C-4 Exterior Finish Materials

Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

C-5 Structured Parking Entrances

The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

Board members expressed their concern that the building has a durable quality in its appearance. The Board indicated that they would not be supportive of typical designs that result from a ground floor base made of concrete with upper floors in timber framing above. The Board directed the development team to look at the development of brick facades, with steel sash windows to provide a consistent design statement and one that is consistent with the design ideas presented at the meeting. The Board also provided references to current mixed-use designs found in Portland's Pearl District or in the Vancouver BC Yaletown neighborhood.

D. PEDESTRIAN ENVIRONMENT

D-1 Pedestrian Open Spaces and Entrances

Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

D-2 Blank Walls

Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

D-7 Personal Safety and Security

Project design should consider opportunities for enhancing personal safety and security in the environment under review.

The Board was very interested in seeing as much transparency along the facades as possible to achieve a sense of human scale. The Board expressed their concern about avoiding any types of blank walls on the facades, especially those visible from the sidewalks.

E. LANDSCAPING

E-2 Landscaping to Enhance the Building and/or Site

Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

The Board was interested in seeing a landscape plan that includes visual and physical proximity of landscape and open space to the larger community as a gesture to the public, not solely relying on a rooftop deck that will become unusable.

Development Standard Departures

Certain departures from Land Use Code requirements may be permitted as part of the design review process. Departures may be allowed if an applicant demonstrates that a requested departure would result in a development which better meets the intent of the adopted design guidelines (see SMC 23.41.012). At this early stage of the design development for this project, the applicant did not identify any departure requests.

Interim Design Review Meeting

An interim design review meeting was held the Design Review Board for Area 7 on July 7, 2004. The Board reviewed the proposed design and project, including the applicant's request for a development standard departure. This departure was from transparency and blank façade requirements along Pontius Avenue N which is a north-south Class II Pedestrian Street. Per SMC 23.48.018 B.2.a, along Pontius Avenue N, due to the residential nature of this portion of the project in combination with a change in grade over the site, the north 43 feet of the project along Pontius Avenue N does not strictly meet the requirements for transparency and blank facades, and thus requires a departure. Note: The project reflected in the subsequent MUP application did not require this departure.

At the interim design review meeting the Board had the following comments (as confirmed at the September 1, 2004 Recommendation Meeting):

- The Board was supportive of the overall design concept, the scale, massing, materials and colors of the building.
- The Board was supportive of the proposed sidewalk bulbs for improving pedestrian zone connections and comfort.
- The Board was supportive of the retail at the south, but concerned with the functionality of the retail space on Republican Street, given the difference in grades and the lack of a level entry at the corner. The Board asked for additional study to demonstrate how a tenant improvement could address this issue.
- The Board liked the use of promenades along the east façade and suggested further refinement of that feature.
- The Board suggested more neighborhood retail at the north, possibly in the form of live/work units that could be either commercial or residential in nature.
- The Board would like to see the building more eco-friendly, with the addition of some sustainable features.
- The Board was supportive of the departure for reducing the amount of transparency at the north, provided there is a landscape solution to soften any areas of hard or blank walls.
- The Board suggested more detail at the ground plane to ensure that the structure is pedestrian friendly on all three sidewalk elevations.

The Board asked the applicant to address these comments when returning for the future Recommendation Meeting.

Design Review Board Recommendations

At a September 1, 2004 meeting of the Design Review Board for Area 7 and attended by three members of the Board, the architect reviewed the project and design responses to the comments made by the Board at the July 7, 2004 interim design review meeting.

Architect's Presentation of Design Development:

The architect described the neighborhood context, noting the consensus that this area is appropriate for a new urban village that will contain workforce housing and compatible mixed uses of a neighborhood commercial nature. The site is flanked by larger scale structures at the southeast and northeast corners.

The architect presented plan drawings, elevations, sections, perspective illustrations, and 3-D fly-around animation of the development, emphasizing the following design updates since the interim design review meeting:

- Six live/work units were added on Mercer Street in response to Board comments.
- As directed by the Board, the street wall at the back of the colonnade on Pontius has been pulled forward to the street as a two-story element, eliminating the "buried" walk behind the columns. This area is located directly south of the main entry. This feature would require a development standard departure from SMC 23.48.014.D which requires landscaping of this proposed hardscaped space.
- An area of green roof was added around the existing rooftop deck in response to the Board's suggestion for adding an eco-friendly, sustainable element at the rooftop.
- A water feature was added to collect rainwater off the entry canopy into planters at grade at the entry courtyard.
- Tree wells were increased to allow for more planting at the sidewalk.

Requested Development Standard Departures

1. To allow street-level setbacks along Pontius Ave. N. to exceed 12 feet from the property line (SMC 23.48.014). Proposed: Setbacks along Pontius Ave. N. exceeding 12 feet are to be allowed in the amount of 100 feet (48 feet as entry courtyard to the building and 52 feet as a residential colonnade) which is approximately 28.7% of the length of the wall.
2. To allow landscaping of the colonnade and building entry courtyard, both along Pontius Ave. N. to be landscaped as documented in the MUP plans on file with DPD at the time of this decision.

Board Discussion

The Board discussed the design and asked clarifying questions regarding the nature of the courtyard materials and the entry canopy. The Board discussed use of operable (sliding or overhead type) windows in the commercial area, noting that this type of window is encouraged

in order to help activate the public realm, as was done at the new restaurant at the nearby Alcyone project. The Board also suggested that the live/work units should have operable windows on the second level. The Board stated that they would not recommend conditioning the project to have operable windows in the retail space and live/work units, but they did strongly recommend use of such windows. The applicant agreed to encourage and support this idea, although noting that use of such windows in the retail portion will depend upon the particular tenant that occupies the space.

Lastly, the Board discussed the possibility of including mezzanines in the retail space and the importance of high ceilings and at-grade retail. Concern about ceiling height was expressed if a mezzanine is built. The SCM zone does not have requirements for the height in retail spaces. The applicant noted that the mezzanines are not part of the building shell, but rather an option for a potential tenant if the use of the retail space warrants a mezzanine.

Public Comments:

One member of the public attended the Recommendation Meeting. He was at the previous meeting and stated that the improvements looked good.

Design Review Board Deliberations

After considering the site and context, hearing public comment, reconsidering the previously identified design guideline priorities, and reviewing the plans and renderings, hearing the presentation of the applicant, asking clarifying questions, and after due deliberation, the three members of the Area 7 Design Review Board, those in attendance constituting a quorum, unanimously recommended **approval of the design of the proposed project** as presented to the Board at the meeting. They also unanimously recommended (three members present) **granting the requested design departures** listed above. The Board did not recommend any conditions on its recommendations.

DIRECTOR'S ANALYSIS AND DECISION - DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the three Design Review Board members present at the Recommendation meeting and finds that they are consistent with the City of Seattle "Guidelines for Multifamily and Commercial Buildings" and that the development standard departures present an improved design solution, better meeting the intent of the Design Guidelines, than would be obtained through strict application of the Seattle Land Use Code.

Therefore, the proposed design is **conditionally approved** as presented at the September 1, 2004 Design Review Board Recommendation Meeting **with** the recommended development standard **departures** listed below.

Approved Development Standard Departures

3. To allow street-level setbacks along Pontius Ave. N. to exceed 12 feet from the property line (SMC 23.48.014). Proposed: Setbacks along Pontius Ave. N. exceeding 12 feet are to be allowed in the amount of 100 feet (48 feet as entry courtyard to the building and 52 feet as a residential colonnade) which is approximately 28.7% of the length of the wall.
4. To allow landscaping of the colonnade and building entry courtyard, both along Pontius Ave. N. to be landscaped as documented in the MUP plans on file with DPD at the time of this decision.

The recommendations summarized above were based on the plans presented at the September 1, 2004 meeting. Design, siting, façade materials and architectural details not specifically identified or altered in these recommendations are expected to remain substantially the same as those presented at the September 1, 2004 meeting.

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant, and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Seattle SEPA Ordinance provides substantive authority to require mitigation of adverse impacts resulting from a project (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific adverse environmental impacts identified in an environmental document and may be imposed only to the extent that an impact is attributable to the proposal. Additionally, mitigation may be required only when based on policies, plans, and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675, inclusive (SEPA Overview Policy, SEPA Cumulative Impacts Policy, and SEPA Specific Environmental Policies). In some instances, local, state or federal requirements will provide sufficient mitigation of a significant impact and the decision maker is required to consider the applicable requirement(s) and their effect on the impacts of the proposal.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: “where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” (subject to some limitations). Under specific circumstances (see SMC 25.05.665 D 1-7), mitigation can be considered. Thus, a more detailed discussion of some of the project impacts is appropriate.

Short-Term and Construction -Related Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

Due to the fact that demolition of existing buildings will occur and that grading will be undertaken during construction, additional analysis of certain construction-related impacts is warranted.

Noise Impacts

Office, commercial, and some residential uses in the vicinity of the proposal will experience increased noise impacts during the different phases of construction (demolition, shoring, excavation). Compliance with the Noise Ordinance (SMC 22.08) is required and will limit the use of loud equipment registering 60 dBA or more at the receiving property line or 50 feet, to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays.

Although compliance with the Noise Ordinance is required, due to the presence of nearby residential uses, additional measures to mitigate the anticipated noise impacts may be necessary. The SEPA Policies at SMC 25.05.675.B and 25.05.665 allow the Director to require additional mitigating measures to further address adverse noise impacts during construction. Pursuant to these policies, it is the Department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance may be necessary. Therefore, as a condition of approval, the applicant will be required normally to limit the hours of construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m. (Work would not be permitted on the following holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day; if the contractor chooses to work on the following holidays in the City of Seattle calendar, they should be treated as Saturdays, with work restricted to the hours of 9:00 a.m. to 6:00 p.m.: Martin Luther King, Jr. Birthday, Presidents' Day, Veterans' Day.)

Air Quality

Construction will create dust, leading to an increase in the level of suspended air particulates, which could be carried by wind out of the construction area. Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliatives, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency (“PSCAA”) regulations will require activities which produce airborne materials or other pollutant elements to be contained with temporary enclosure. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne.

The Street Use Ordinance also requires the use of tarps to cover the excavation material while in transit, and the clean up of adjacent roadways and sidewalks periodically. Construction traffic and equipment are likely to produce carbon monoxide and other exhaust fumes. Regarding asbestos, applicable law requires the filing of a Notice of Construction with the PSCAA prior to demolition. Thus, as a condition of approval prior to demolition, the proponent will be required to submit a copy of the required notice to PSCAA. If asbestos is present on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos. No additional conditioning is warranted pursuant to the SEPA Policies.

Earth/Soils

Excavation to provide underground parking will create potential earth-related impacts. Compliance with the Stormwater, Grading, and Drainage Control Code (SMC 22.800) will require the proponent to identify a legal disposal site for excavation and demolition debris prior to commencement of demolition/construction. Cleanup actions and disposal of contaminated soils on site will be performed in compliance with the Model Toxics Control Act (“MTCA”, WAC 173-340). Compliance with the Uniform Building Act (or International Building Code) and the Stormwater, Grading, and Drainage Control Code will also require that Best Management Practices (“BMPs”) be employed during demolition/excavation/construction including that the soils be contained on-site and that the excavation slopes be suitably shored and retained in order to mitigate potential water runoff and erosion impacts during excavation and general site work.

Groundwater, if encountered, will be removed from the excavation by sump pumping or by a dewatering system and routed to existing storm drain systems. A drainage control plan, including a temporary erosion and sedimentation control plan, and detention with controlled release system, will be required with the building permit application. In addition, a Shoring and Excavation Permit will be required from SDOT prior to issuance of a building permit. Compliance with the requirements described above will provide sufficient mitigation for the anticipated earth-related impacts, and no additional conditioning is warranted pursuant to the SEPA Policies.

Construction Vehicle Traffic

Excavation for the proposed underground parking garage would require removal of approximately 31,184 cubic yards of material, none of which is to be stockpiled on site. The 31,184 cubic yards of material would be exported to an as yet undetermined site. Removal of the soil would generate approximately 1,559 truck trips (double loads with truck and pup) or up to 3,118 single load truck trips and take approximately 5 weeks to complete.

Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near several major arterials and traffic impacts resulting from the truck traffic associated with excavation will generally be mitigated by enforcement of SMC 11.62. However, this immediate area is subject to traffic congestion during the p.m. peak hour, and use of arterials by large trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675 B (Construction Impacts Policy) and SMC 25.05.675 R (Traffic and Transportation), additional mitigation is warranted. For the duration of the excavation activity, the applicant/responsible party shall cause excavation-related truck trips to cease during the hours between 4 p.m. and 6 p.m. on weekdays. This condition will assure that truck trips do not interfere with daily p.m. peak traffic in the vicinity.

Further mitigation needs to be developed to limit, to the greatest extent possible, other traffic related impacts expected during the construction phase. Construction traffic onto and leaving the site could cause dangerous disruptions on surrounding streets. Vehicular and bicycle traffic past the proposal site needs to be left unaffected to the greatest extent possible. Routes for trucks to use too and from the site need to be planned with minimum traffic impact in mind. To these ends a Construction Impact Plan will be required which proscribes among other things how construction equipment and construction worker vehicles will enter and leave the project site, measures to minimize disruption of vehicular and bicycle traffic on adjacent streets and alleys, and identification of haul routes and times at which all demolition and/or grading materials will be removed from the site by truck, with access points and flagging measures as necessary. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC 11.62.

Long-Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; and increased light and glare. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically, these are: the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts. However, further discussion of transportation impacts (traffic, concurrency and parking) is warranted.

Transportation

The elements of the transportation study prepared by the Transpo Group for the proposal were determined by DPD to establish the study area and the key traffic issues. The Transpo report evaluates the impacts of the proposed project.

Traffic

Over the long-term, vehicular and pedestrian traffic will increase as a result of this proposal. Demand upon general area transportation systems, including transit, will also increase. A Transportation Impact Analysis by The Transpo Group, dated September 2004 is included in the file for this project. Nine intersections were studied. In project year 2007, inclusion of project-related traffic adds an estimated 1,120 daily vehicle trips to surrounding streets, 80 in the a.m. peak hour and 94 in the p.m. peak hour. In the a.m. peak hour the project would add traffic to four intersections which the baseline level of service for 2007 foresees as performing at Level of Service (“LOS”) F, namely Fairview Avenue/Mercer Street, Fairview Avenue/Republican Street, Eastlake Avenue/Stewart Street/John Street, and Stewart Street/Denny Way. During the p.m. peak hour the project would add traffic to one intersection which the baseline level of service for 2007 foresees as performing at LOS F, namely Fairview Avenue/Mercer Street. Given the high volume of commute traffic and their proximity to the I-5 ramps, it is not unusual that these signalized intersections would experience high vehicle delay and volume-to-capacity (“v/c”) ratios. However, with or without the proposed project traffic, all study intersections would continue to operate at the same LOS during the a.m. and p.m. peak hours. The proposed project would have minimal impact to the operations at the study intersections during the a.m. and p.m. peak hours.

Further consideration was given to the intersection of Fairview Avenue/Republican Street as it has an unusual configuration since it is slightly off-set. Two other projects were required to mitigate impacts at this intersection, including some additional signage and removing some parking to provide additional room to allow east and west right turn lanes. However, DPD determined in consultation with SDOT that the proposed project did not need to provide any further mitigation for this intersection.

Transportation Concurrency

The City of Seattle has implemented a Transportation Concurrency system to comply with one of the requirements of the Washington State Growth Management Act. The system, described in DPD’s Director’s Rule 4-99 and the City’s Land Use Code, is designed to provide a mechanism that determines whether adequate transportation facilities would be available “concurrent” with proposed development projects. The five evaluated screenlines included in the Transpo analysis would have v/c ratios less than the respective LOS standard, and the addition of peak hour traffic generated by the proposal would meet the City’s transportation concurrency requirements.

Parking

A portion of the project site is used for monthly daytime parking for surrounding businesses in the area. The parking lot was observed to have peak occupancy of 62 parked vehicles during the daytime and it is estimated that five vehicles are related to existing uses that would be removed with the site redevelopment. As a result, Transpo estimated that approximately 55-60 vehicles would be displaced by the development. Related to parking displacement, the project would decrease the number of driveway curb cuts along the project frontages, resulting in a gain of approximately four additional on-street parking spaces.

The City of Seattle Land Use Code requires an adjusted minimum of 205 parking spaces for the proposed mixed-use project, predicated upon the size and variety of proposed uses on site and allowable waivers. Parking would be provided on-site within a new underground garage with 208 stalls. This parking would be accessed from two driveways off the alley and would be designated for use by the residential and retail tenants.

A parking demand analysis was included within the Transpo Transportation Impact Analysis (September, 2004) to determine the availability of nearby parking to accommodate parking displaced from the site during the daytime, and also to assess how closely the proposed number of parking spaces would match the anticipated parking demand.

In terms of daytime displaced parking, the Transpo study found that on-street parking during the daytime is highly utilized and it is unlikely that all of the displaced vehicles could be accommodated in on-street parking stalls. Transpo concluded that it was more likely that a small portion of the displaced vehicles would be accommodated with on-street parking and that a majority would be displaced to other off-street pay lots in the area or to under-utilized parking associated with private developments.

There are five parking lots within two to three blocks south of the project site that were inventoried by Transpo. Those lots had 80 vacancies counted during the daytime peak parking period. There were also over 60 parking vacancies observed at the parking lot located on the northwest corner of Pontius Avenue N and Denny Way, approximately four blocks to the south of the project site. In total, Transpo found that there were over 200 vacancies in the public pay lots in the area that could accommodate the existing parked vehicles being displaced from the site.

In terms of comparing proposed supply to estimated retail and residential demand from the project, there are various methodologies for estimating parking demand. DPD has historically stated that a rate of 1.5 spaces per multi-family unit would provide a worst-case scenario for any area of the City, and that in an urban neighborhood such as Cascade or South Lake Union, 1.3 spaces per multi-family unit would provide a conservative estimate of parking demand. ITE Parking Generation, a national resource, suggests weekday and weekend peak rates of 1.01 and 1.21 spaces per unit, respectively.

The proposed development is providing three spaces beyond Code requirements, which are based on 1.0 space per residential unit in the Seattle Cascade mixed zone. As six spaces are

required for the retail use, 202 spaces would be provided for the 199 residential units. This represents a ratio of 1.02 spaces per residential unit. The period of peak parking demand for residential use is in the evening. If the demand exceeds 1.02 spaces per unit, then parking during the evening hours will exceed the garage capacity and utilize on-street or surface parking lots in the area. The data summarized by Transpo is that on-street utilization is approximately 50 percent during the evening hours and thus, that there is ample on-street parking available in the area during the evening hours. Therefore, given the number of vacant parking spaces in the surrounding area of the project site, there is ample parking in the area to accommodate the displaced parked vehicles during the daytime and accommodate any potential spillover of parking in the evenings.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

CONDITIONS SEPA

Prior to Issuance of A Demolition, Grading or Building Permit

The owner(s) and/or responsible party(s) shall:

1. Develop and submit a Construction Impact Management Plan for review and approval by DPD and SDOT, including the elements specified below, in order to reduce traffic and parking impacts associated with demolition, grading and/or construction. DPD shall coordinate review of the Plan with other appropriate departments with jurisdiction over the public right-of-way (e.g. SDOT, King County/METRO, etc.). The plan shall include:
 - A. How construction equipment and construction worker vehicles will enter and leave the project site;
 - B. Measures to minimize disruption of vehicular and bicycle traffic on adjacent streets and alleys; and

- C. Identification of haul routes and times at which all demolition and/or grading materials will be removed from the site by truck. The plan will include access points and flagging if necessary.
2. Submit a copy of the Puget Sound Clean Air Agency Notice of Construction.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. Conditions shall be posted at each street that borders the site. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

3. The applicant is required to limit periods of all demolition and construction to between the hours of 7:00 a.m. and 6:00 p.m. on non-holiday weekdays and to 9:00 a.m. to 6:00 p.m. on non-holiday Saturdays. The no-work holidays are the following: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. The following holidays in the City of Seattle calendar shall be treated as Saturdays, should the contractor choose to perform construction-related activities on these days: Martin Luther King, Jr. Birthday, Presidents' Day, and Veterans' Day. Activities which will not generate sound audible at the property line such as work within enclosed areas, or which do not generate even moderate levels of sound, such as office or security functions, are not subject to this restriction.
4. The applicant/responsible party shall ensure that there are no excavation-related truck trips permitted during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.
5. Comply with the provisions set forth by the approved Construction Impact Management Plan.

CONDITIONS DESIGN REVIEW

6. The building as constructed must be substantially in conformity with the one reviewed and approved under the MUP Decision (2402016).

Non-Appealable Conditions

7. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Scott Kemp, 206.233.3866). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
8. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to

this project (Scott Kemp, 206.233.3866), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

9. Embed all of these conditions in the cover sheet for updated MUP permit plans and for all subsequent permits including any MUP revisions, and all building permits.
10. Embed the 11 x 17 colored elevation drawings from the DR Recommendation meeting and as updated, into the MUP plans prior to issuance, and also embed these colored elevation drawings into the Building Permit Plan set in order to facilitate subsequent review of compliance with Design Review.

Signature: (signature on file) Date: March 14, 2005
Scott Kemp, Senior Land Use Planner

SK:bg

K:\Signed Decisions\2402016.DOC